

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S.- Marketing Department- Disciplinary Proceedings initiated against Sri S. M. Hashmi, Ex-ADM, Ranga Reddy District on the allegation of irregularities in appointment of certain individuals –Imposed the punishment of compulsory retirement – Appeal filed- Appeal partially allowed – orders – Issued.

AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No. 478

Dated: 13-03-2013

Read the following:-

1. Proceedings No.DS (1) 1900/2011, dt.15/06/2012 of C&DOAM, Hyderabad.
2. From Sri S. M. Hashmi, Ex- ADM, (compulsory retirement) Appeal Petition dt.29-06-2012.
3. Govt. Memo No.8768/Vig.II(1)/2012-1, dt:24.07.2012.
4. From the C&DOAM, Hyd Lr. D.S(1)/1900/2011, dt.6/08/2012.
5. Govt. Memo No.8768/Vig.II(1)/2012-2, dt:06.09.2012.
6. From the C&DOAM, Hyd Lr. D.S(1)/1900/2011, dt.15/12/2012.

ORDER:

In the reference 1st read above, the Commissioner & Director of Agricultural Marketing, A.P., Hyderabad had awarded a penalty of “Compulsory Retirement from Service” against Sri S. M. Hashmi, Ex-ADM, Ranga Reddy District for the irregularities in making excess and irregular appointments in Rythu Bazars without assessing the actual ground level need and promoted the candidates in absence of guidelines etc.

2. In his representation 2nd read above, Sri S. M. Hashmi, Ex-ADM, Ranga Reddy District has filed an Appeal Petition before the Government against the said penalty requesting the Government to consider his case sympathetically and set aside the punishment of compulsory retirement from service in the interest of justice.

3. In the references 3rd & 5th read above Government have requested the Commissioner & Director of Agricultural Marketing, A.P., Hyderabad to furnish connected records and also to offer his remarks on the appeal petition of Sri S. M. Hashmi, Ex-ADM, Ranga Reddy District. Accordingly, the Commissioner & Director of Agricultural Marketing, A.P., Hyderabad, vide references 4th & 6th read above has furnished records along with remarks as called for.

4. After careful examination of the entire matter at length with reference to the appeal petition of the individual, remarks of the Commissioner & Director of Agricultural Marketing, A.P., Hyderabad and connected records, Government have observed that :-

- (i) with regard to appointment of Supporting Staff to certain Rythu Bazars in twin cities, the appellant has obtained the orders of Joint Collector-II, R.R. District., who is competent authority for Rythu Bazars.
- (ii) the appellant has recommended certain promotions to the contractual staff and the Enquiry Officer has stated that the charges held proved. On perusal and study of the issue, it is noticed that the “Word Promotion” was used in the note file only, but not in the proceedings issued/appointments and the same was issued with the prior approval of the Joint Collector-II, R.R. District in accordance with Government instructions.
- (iii) Regarding enhancement of rent to Garbage Contractor at Mehidipatnam, Rythu Bazar, it is noticed that the Joint Collector-II, R.R. District has enhanced the Garbage lifting charges from Rs.18,000/- to Rs. 23,000/- to the existing contractor who has been lifting the garbage in anticipation of enhancement orders & contract renewal; but not a fresh contract orders. Therefore the effect of enhancement charges retrospectively for 11 days which amounts to Rs.1,826/- only be recovered from the incumbent.
- (iv) the punishment imposed by the disciplinary authority is very harsh and un-justified.

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5. Government after careful examination of the matter have decided to allow the appeal submitted by the appellant partially and to reinstate him into service with a penalty of withholding of 2 (Two) increments with cumulative effect besides treating the gap period of compulsory retirement to re-instatement into duty as leave of any kind admissible to him as per rules i.e., E.O.L. etc.
6. Government have also decided that on his re-instatement, to post him at Head Office, Commissioner & Director of Agricultural Marketing, Hyderabad in the existing vacancy as ADM.
7. Accordingly, Government hereby allow the appeal filed by Sri S. M. Hashmi partially and to impose a penalty of "withholding of 2 (Two) Annual Grade Increments with cumulative effect" against him in modification of the orders issued in the reference 1st read above and also to re-instate him into duty with immediate effect. The period of absence from 15.06.2012 i.e., date of service of the order of the Commissioner & Director of Agricultural Marketing, Hyderabad to the date of service of this order be treated as leave of any kind admissible to him as per rules, i.e., E.O.L. etc. On his re-instatement Sri S. M. Hashmi is posted at Head Office, Commissioner & Director of Agricultural Marketing, Hyderabad in the existing vacancy as ADM.
8. The Commissioner & Director of Agricultural Marketing, Hyderabad is further requested to take necessary action to recover the loss of Rs.1,826/- from Sri S.M. Hashmi.
9. The Commissioner & Director of Agricultural Marketing, A.P., Hyderabad is requested to take further necessary action accordingly.
10. The connected records received vide reference 6th read above is herewith returned. The receipt of the record may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R. KRISHNA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri S. M. Hashmi, Ex-ADM, Ranga Reddy District (compulsory retirement)
through the C&DOAM, Hyderabad.

Copy to : The Commissioner & Director of Agricultural Marketing,
A.P., Hyderabad.
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER